

1 AN ACT concerning park districts.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Park District Code is amended by changing
5 Section 8-23 as follows:

6 (70 ILCS 1205/8-23)

7 Sec. 8-23. Criminal background investigations.

8 (a) An applicant for employment with a park district is
9 required as a condition of employment to authorize an
10 investigation to determine if the applicant has been
11 convicted of any of the enumerated criminal or drug offenses
12 in subsection (c) of this Section or has been convicted,
13 within 7 years of the application for employment with the
14 park district, of any other felony under the laws of this
15 State or of any offense committed or attempted in any other
16 state or against the laws of the United States that, if
17 committed or attempted in this State, would have been
18 punishable as a felony under the laws of this State.
19 Authorization for the investigation shall be furnished by the
20 applicant to the park district. Upon receipt of this
21 authorization, the park district may ~~shall~~ submit the
22 applicant's name, sex, race, date of birth, and social
23 security number to the Department of State Police on forms
24 prescribed by the Department of State Police. Upon
25 submission the Department of State Police shall conduct an
26 investigation to ascertain if the applicant being considered
27 for employment has been convicted of any of the enumerated
28 criminal or drug offenses in subsection (c) of this Section
29 or has been convicted, within 7 years of the application for
30 employment with the park district, of any other felony under
31 the laws of this State or of any offense committed or

1 attempted in any other state or against the laws of the
2 United States that, if committed or attempted in this State,
3 would have been punishable as a felony under the laws of this
4 State. The Department of State Police shall charge the park
5 district a fee for conducting the investigation, which fee
6 shall be deposited in the State Police Services Fund and
7 shall not exceed the cost of the inquiry. The applicant
8 shall not be charged a fee by the park district for the
9 investigation.

10 (b) The Department of State Police shall furnish,
11 pursuant to positive identification, records of convictions,
12 until expunged, to the president of the park district or his
13 or her designee. Any information concerning the record of
14 convictions obtained by the president or his or her designee
15 shall be confidential and may only be transmitted to those
16 persons who are necessary to the decision on whether to hire
17 the applicant for employment. A copy of the record of
18 convictions obtained from the Department of State Police
19 shall be provided to the applicant for employment. Any
20 person who releases any confidential information concerning
21 any criminal convictions of an applicant for employment shall
22 be guilty of a Class A misdemeanor, unless the release of
23 such information is authorized by this Section.

24 (c) No park district that has authorized an
25 investigation shall knowingly employ a person who has been
26 convicted for committing attempted first degree murder or for
27 committing or attempting to commit first degree murder, a
28 Class X felony, or any one or more of the following offenses:
29 (i) those defined in Sections 11-6, 11-9, 11-14, 11-15,
30 11-15.1, 11-16, 11-17, 11-18, 11-19, 11-19.1, 11-19.2, 11-20,
31 11-20.1, 11-21, 12-13, 12-14, 12-14.1, 12-15, and 12-16 of
32 the Criminal Code of 1961; (ii) those defined in the Cannabis
33 Control Act, except those defined in Sections 4(a), 4(b), and
34 5(a) of that Act; (iii) those defined in the Illinois

1 Controlled Substances Act; and (iv) any offense committed or
 2 attempted in any other state or against the laws of the
 3 United States, which, if committed or attempted in this
 4 State, would have been punishable as one or more of the
 5 foregoing offenses. Further, no park district that has
 6 authorized an investigation shall knowingly employ a person
 7 who has been found to be the perpetrator of sexual or
 8 physical abuse of any minor under 18 years of age pursuant to
 9 proceedings under Article II of the Juvenile Court Act of
 10 1987. A park district is not required to conduct an
 11 investigation on any individual who is (1) under 18 years of
 12 age, (2) a seasonal employee as determined by the Department
 13 of Labor, or (3) an employee rehired within an 18-month
 14 period upon whom an investigation has been conducted. ~~No park~~
 15 ~~district--shall-knowingly-employ-a-person-for-whom-a-criminal~~
 16 ~~background-investigation-has-not-been-initiated.~~

17 (Source: P.A. 91-885, eff. 7-6-00.)

18 (70 ILCS 1505/16a-5)

19 Sec. 16a-5. Criminal background investigations.

20 (a) An applicant for employment with the Chicago Park
 21 District is required as a condition of employment to
 22 authorize an investigation to determine if the applicant has
 23 been convicted of any of the enumerated criminal or drug
 24 offenses in subsection (c) of this Section or has been
 25 convicted, within 7 years of the application for employment
 26 with the Chicago Park District, of any other felony under the
 27 laws of this State or of any offense committed or attempted
 28 in any other state or against the laws of the United States
 29 that, if committed or attempted in this State, would have
 30 been punishable as a felony under the laws of this State.
 31 Authorization for the investigation shall be furnished by the
 32 applicant to the Chicago Park District. Upon receipt of this
 33 authorization, the Chicago Park District may ~~shall~~ submit the

1 applicant's name, sex, race, date of birth, and social
2 security number to the Department of State Police on forms
3 prescribed by the Department of State Police. Upon
4 submission the Department of State Police shall conduct an
5 investigation to ascertain if the applicant being considered
6 for employment has been convicted of any of the enumerated
7 criminal or drug offenses in subsection (c) of this Section
8 or has been convicted, within 7 years of the application for
9 employment with the Chicago Park District, of any other
10 felony under the laws of this State or of any offense
11 committed or attempted in any other state or against the laws
12 of the United States that, if committed or attempted in this
13 State, would have been punishable as a felony under the laws
14 of this State. The Department of State Police shall charge
15 the Chicago Park District a fee for conducting the
16 investigation, which fee shall be deposited in the State
17 Police Services Fund and shall not exceed the cost of the
18 inquiry. The applicant shall not be charged a fee by the
19 Chicago Park District for the investigation.

20 (b) The Department of State Police shall furnish,
21 pursuant to positive identification, records of convictions,
22 until expunged, to the General Superintendent and Chief
23 Executive Officer of the Chicago Park District or his or her
24 designee. Any information concerning the record of
25 convictions obtained by the General Superintendent and Chief
26 Executive Officer or his or her designee shall be
27 confidential and may only be transmitted to those persons who
28 are necessary to the decision on whether to hire the
29 applicant for employment. A copy of the record of
30 convictions obtained from the Department of State Police
31 shall be provided to the applicant for employment. Any
32 person who releases any confidential information concerning
33 any criminal convictions of an applicant for employment shall
34 be guilty of a Class A misdemeanor, unless the release of

1 such information is authorized by this Section.

2 (c) When the Chicago Park District has authorized an
3 investigation, it may not knowingly employ a person who has
4 been convicted for committing attempted first degree murder
5 or for committing or attempting to commit first degree
6 murder, a Class X felony, or any one or more of the following
7 offenses: (i) those defined in Sections 11-6, 11-9, 11-14,
8 11-15, 11-15.1, 11-16, 11-17, 11-18, 11-19, 11-19.1, 11-19.2,
9 11-20, 11-20.1, 11-21, 12-13, 12-14, 12-14.1, 12-15, and
10 12-16 of the Criminal Code of 1961; (ii) those defined in the
11 Cannabis Control Act, except those defined in Sections 4(a),
12 4(b), and 5(a) of that Act; (iii) those defined in the
13 Illinois Controlled Substances Act; and (iv) any offense
14 committed or attempted in any other state or against the laws
15 of the United States, which, if committed or attempted in
16 this State, would have been punishable as one or more of the
17 foregoing offenses. Further, when the Chicago Park District
18 has authorized an investigation, it may not knowingly employ
19 a person who has been found to be the perpetrator of sexual
20 or physical abuse of any minor under 18 years of age pursuant
21 to proceedings under Article II of the Juvenile Court Act of
22 1987. The Chicago Park District is not required to conduct an
23 investigation on any individual who is (1) under 18 years of
24 age, (2) a seasonal employee as determined by the Department
25 of Labor, or (3) an employee rehired within an 18-month
26 period upon whom an investigation has been conducted. The
27 ~~Chicago--Park--District--may--not--knowingly--employ--a--person--for~~
28 ~~whom--a--criminal--background--investigation--has--not--been~~
29 ~~initiated.~~

30 (Source: P.A. 91-885, eff. 7-6-00.)